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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,501	10/15/2004	Yutaka Ueda	04736/LH	4205
1933	7590	12/13/2006	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC			GARCIA, GABRIEL I	
220 Fifth Avenue			ART UNIT	PAPER NUMBER
16TH Floor				
NEW YORK, NY 10001-7708			2625	

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/511,501	UEDA, YUTAKA
	Examiner Gabriel I. Garcia	Art Unit 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-16 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 15 September 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/15/04 & 8/8/06.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

**Part III DETAILED ACTION**

1. The disclosure is objected to because of the following informalities: On page 1, line 5, the word “grogram” should be changed to “program”. Appropriate correction is required.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Haneda (6,243,171).

With regard to claim 1, Haneda teaches a computer program to control a computer to function as an image data processor (e.g. reads on figs. 55-60, which can be store and program to produce the code to create the program to display the slide show), the image data processor, comprising: a display section (e.g. 18) for displaying an image based on an image information (reads on fig. 1, which allow the user to display the image information received by the display control circuit);

and a retrieving section for retrieving the image information in which an identification information of the program is recorded as a header information (e.g. abstract).

With regard to claim 2, Haneda further teaches an identifying section for identifying the image information by referring to a definition information carrying at least information showing the identification information of the computer program and retrievable from the program (e.g. col. 6).

With regard to claim 3, Haneda further teaches a display section for displaying the image based on the image information retrieved by the retrieving section (e.g. reads on fig. 1, item 18, the image is retrieved or received from different parts of the system, e.g. reader 12).

With regard to claim 4, Haneda further teaches a recording section for recording the identification information of the program which is the same as the identification information of the program recorded as the header information of a main information of the image, displayed by the display section, as the header information for a primary image information to be overwritten or to be newly recorded, when the main image information of the image information is overwritten on the original image information or newly recorded (reads on col. 6 and figs 49-59, which allow the user(s) to change and play the recorded image).

With regard to claim 5, Haneda further teaches information is identified referring to the definition information including the identification of the program and retrievable from the program, the image data processor, further comprising: a renewing section for renewing the description about a name and storage location of the original image information for the definition information to the description about the name and storage place of the image information to be

overwritten or newly recorded, when the image information which is the original image information of the image displayed on the display section is overwritten or newly recorded (reads on col. 6 and figs 49-59, which allow the user(s) to change and play the recorded image).

. With regard to claims 6-7, the limitations of claims 6-7 are covered by the limitations of claims 4-5 above.

With regard to claim 8, Haneda further teaches wherein the image information includes the image files in the format of exit/JPEG (e.g. col. 38, lines 30-42).

With regard to claims 9-16, the limitations of claims 9-16 are covered by the limitations of claims 1-8 above.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Toyouchi et al. (6,006,251 teaches a service providing system for providing services suitable to an end user request based on characteristics of a request, attributes of a service and operating conditions of a processor.

Hoogenboom et al. (5,517,250) teaches an acquisition of desired data from a packetized stream and synchronization thereto.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (571) 272-7434. The Examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The fax phone number for this group is 571-273-8300.

**CENTRALIZED DELIVERY POLICY:** For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (**PAIR**) system Status information for published applications may be obtained from either Private **PAIR** or Public **PAIR**. Status information for unpublished applications is available through Private **PAIR** only. For more information about the **PAIR** system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private **PAIR** system, contact the Electronic Business Center (**EBC**) at 866-217-9197 (toll-free).

  
Gabriel I. Garcia  
Primary Examiner  
December 7, 2006

GABRIEL I. GARCIA  
PRIMARY EXAMINER